

**FGHOA Board of Director's Meeting Minutes
May 18, 2017**

Date: May 18, 2017 (Thursday)
 Time: 7:00-9:00 PM
 Location: Dufief Elementary

BoD Attendees:

Board of Directors	Present (P) Absent (A) Teleconference (T)
Charlie Liebetrau, President	P
Bob Canter, Vice President	P
Paul Witting, Treasurer	P
Steve Kwon, Secretary	P
Alex Veizis, Member	P
Steve Slater, Member	P
Carmen de Perignat, Chair, AECC	P
Other HOA Members in attendance:	
Lee Canter, Chair, Governing Documents Committee	P

Agenda:

1. Approve meeting minutes
2. Review tasks / action items from last meeting
3. Paint color display plans
4. Community signs progress update
5. Cell Tower – updates
6. Financial review
7. Committee reports
 - a. Maintenance Sub-Committee
 - b. Governing documents
 - c. Communications
 - d. Social Committee
 - e. Architectural and Environmental Control Committee (AECC)
8. New business
 - a. Robert's Rules of Order
 - b. Website updates

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Meeting Minutes:

Meeting started at 7:07 p.m.

1. Approve Draft May 4, 2017 meeting minutes:
Time: 8 minutes
 - a. Reviewed and modified last bullet of item 6 of Minutes regarding the discussion of AECC from June to May, 2017.
 - b. Meeting minutes were unanimously approved after motion to approve was presented by Charlie Liebetrau.
2. Review tasks / action items from last meeting:
Time: 25 minutes
Reviewed action items and item tracker from last meeting including:
 - a. Bus relocation: no change
 - b. Re-seal coat in Rich Branch Drive Townhouse area: Bob Canter to check whether FGHOA re-sealing can coincide with MOCO re-sealing in this area for an additional dollar amount.
 - c. Check reserve requirement pursuant to Article VI, Section 3 of the Declaration: Alex Veizis transitioning this activity will introduce Paul Witting to Jim Layton.
 - d. Wood Trail Bridge: Bob Canter to continue pursuing matter. Work scheduled to begin in October 2017.
 - e. Landscaping: Carmen de Perignat confirmed that Potomac Garden Center (PGC) has been notified in early May and has accepted replacement of shrubs at entrance area upon completion of stone monument work by CMS.
 - f. Toys in Pebble Hill homes: Charlie Liebetrau confirmed he will send letter to affected properties.
3. Paint color display plans:
Time: 1 hour and 20 minutes
 - a. Plan for the paint color schemes is to make sure that the HOA community has an opportunity to see them and to provide comments;
 - b. Need to make sure we have locations and places and times useful for the community to review. Carmen de Perignat has renewed her offer to display the paint schemes in her front porch beginning Friday, May 19th, until Wednesday, May 31st, 2017.
 - c. Steven Slater challenged the statement in the AECC Agenda indicating that there is no existing a color palette. He claims that there is a color palette and that the colors are very easy to obtain or to replicate. Steve Slater said he has the three cans of paint of the original color of his house and will provide these to Carmen de Perignat. Further, Mr. Slater challenged the statement included in the AECC Agenda that the AECC has authority to approve a change of the color palette for the Community. The discussion continued in which Mr. Slater explained his interpretation of the Governing Documents regarding such lack of authority. These views were countered by Bob Canter and Carmen de

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Perignat who read to the Board, as a rebuttal to Mr. Slater's interpretation, the relevant provisions in respect to such authority specifically those provided in Article VIII, Sections 1 and 2 of the Declaration as well as the relevant statement in the current Manual of the Commission on Common Ownership Communities (CCOC). Lee Canter began to explain the provisions in the Declaration and Steven Slater responded to her by saying that "you are not a board member", and "why am I talking to you "honey" as you are not a board member. Charlie Liebetau then admonished Mr. Slater as to his words and tone when speaking to Lee Canter. Further, Bob Canter attempted to explain to Steven Slater Lee Canter's role attending the meeting as being the Chairperson of the Governing Documents Committee who was appointed during the previous year's BoD term. Lee Canter has spent the greater part of 8 months give or take a month, extensively reviewing the Governing Documents, along with updating the BoD of new Maryland State Law pertaining to the HOA communities as well as updates and decisions made by the CCOC. In view of these very offensive comments, Lee Canter left the meeting. After Mrs. Canter left the meeting and given this impasse between two very opposing views, the BoD President, Charlie Liebetau, felt it necessary to find a solution to resolve this problem, Mr. Liebetau agreed to have the motion presented by Steven Slater by which the BoD would grant authority for color changes to the AECC, such motion to be put for a vote by the BoD. Charlie also admonished Slater as to his words and tone when speaking to Lee Canter. The motion was approved by all present.

- d. Actions:
 - i. Steve Slater to provide the 3 original colors that he has access.
- e. Given the heated discussions regarding this issue, and questionable exchanges between Steve Slater, Lee Canter (who left the BoD meeting following Mr. Slater's aggressive comments about her right to speak at the Board Meeting as if she were a Board member) and Bob Canter who questioned Mr. Slater's lack of respect for a community member, and questioned why Mr. Slater thought that he was owed a higher degree of respect than any other homeowner attending the meeting, Further Bob Canter attempted to explain to Steven Slater, Lee Canter's role attending the meeting as being the Chairperson the Governing Document Committee who was appointed during the previous year's BoD term. Lee has spent the greater part of 8 months give or take a month, extensively reviewing the docs along with updating the BoD of new Maryland State Laws pertaining to the HOA communities as well as updates and Decisions made by the CCOC. Carmen de Perignat expressed her unwillingness to chair the AECC with the type of hostility displayed by Mr. Slater in which work could not be expected

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to be conducted in a productive and efficient manner. Ms. de Perignat presented a motion to the BoD requesting the removal of Mr. Slater from the AECC, but before the BoD had an opportunity to vote Mr. Slater resigned from the AECC. The Board continued to discuss the color change process and the interpretation and the scope of the AECC's powers per the HOA documents. Bob Canter pointed out the "Elephant in the Room" as the reason the BoD has been striving to abide by not only the Existing FGHOA Governing Docs, but the updated laws, regulations and newly issued CCOC expectations of HOA Boards behavior and "Open Meetings Laws", was due to the fact a CCOC complaint was filed by a FGHOA member that is still pending, having cost the HOA considerable expense and resources to defend. Much of the complaint was centered on past FGHOA board's lack of budget transparency and the manner in which members of the HOA community were treated at a special meeting called by the then FGHOA Bod in February of 2013.

- f. Alex Veizis resigned from the AECC.
- g. Steve Slater motioned to have the Board grant the AECC the authority to decide and follow the procedures to expand the existing color palette
 - i. Bob Canter seconded the motion
 - ii. Alex refrained from voting
 - iii. Steve Kwon, Charlie Liebetrau, Paul Witting, Steve Slater and Carmen de Perignat and Bob Canter voted in the motion
- h. The AECC procedure shall be the following:
 - i. Recommend an expanded color palette (12 colors) that was displayed and announced at the April 25, 2017 Annual Meeting
 - ii. The colors will be available for the community to review for 10 days: May 20th to May 31st.
 - iii. Community Comments accepted until May 31st.
 - iv. AECC will review comments and hold a meeting on June 1 (open to the community) to make a color palette determination
 - v. AECC will notify the community about the decision related to the color palette; the community will be informed on June 2 via email Blast, HOA website, and NextDoor Post
 - 1. Note: Colors should be defined by the RGB spectrum
 - vi. Notice about these procedures will be sent to the community via email, HOA website, NextDoor post by May 19
- i. Steve Kwon motioned to move the procedures; Paul Witting seconded the motion.
 - i. Alex Veizis refrained from voting
 - ii. Steve Kwon, Steve Slater, Paul Witting, Charlie Liebetrau, Bob Canter and Carmen de Perignat voted in the procedures

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- j. Carmen de Perignat requested the BoD to approve 5 new members: Ami Corey, Bethany Dame, Subhasis Datta, Nancy Palker and Julie Zhang.
- k. Steve Slater, Paul, Bob, Carmen, Charlie, and Steve Kwon voted in the additional 5 new members into the AECC
 - i. Alex Veizis refrained from voting.
- l. The 2017 AECC shall include the following members:
 - i. Bob Canter
 - ii. Lee Canter
 - iii. Ami Corey
 - iv. Bethany Dame
 - v. Subhasis Datta
 - vi. Carmen de Perignat
 - vii. Leslie Press
 - viii. Nancy Palker
 - ix. Julie Zhang

Items Not Covered during this Meeting due to lack of time:

- 4. Community signs progress update
- 5. Cell Tower – updates
- 6. Financial review
- 7. Committee reports:
 - a. Maintenance Sub-Committee
 - b. Governing documents
 - c. Communications
 - d. Social Committee
 - e. Architecture and Environmental Committee (AECC)
- 8. New business:
 - a. Robert's Rules of Order
 - b. Website updates

Next BoD meeting:

Date: Thursday, June 2017

Time: 7:00-9:00 PM

Location: Dufief Elementary, 15001 DuFief Drive, Gaithersburg, MD 20878

All of the statements included in these minutes are supported and verified by a recording available to any HOA member upon request to the Board of Directors.